

January 6, 2005

Lowell Voigt
Rose Acres Trust
22846 150th Street
Eden Valley, Minnesota 55329

Francis Green III
Assistant Attorney General
Suite 900
445 Minnesota Street
St. Paul, Minnesota 55101-2127

RE: In the Matter of the Grade A Permit Suspension of Rose Acres Trust
License No. 003581; OAH Docket No. 4-0400-16256-2

Dear Mr. Voigt and Mr. Green:

This letter confirms the schedule I established and the understandings that were reached at our prehearing conference on January 4, 2005:

1. This matter is set for hearing at the Office of Administrative Hearings beginning at 9:30 a.m. on Tuesday, March 1, 2005, and continuing through Wednesday, March 2, 2005, if necessary.
2. The parties voluntarily agreed to make available to each other any documentation they have relating to this matter that is not covered by attorney-client privilege.
3. Any written motions relating to legal issues raised by this case shall be filed with this office and provided to the opposing party no later than Friday, January 21, 2005. Responses to dispositive motions must be in my hands and in the hands of the opposing counsel no later than Friday, January 28, 2005.
4. The parties shall exchange lists of witnesses whom they expect to call to testify at the hearing, as well as copies of exhibits that they intend to tender as evidence, no later than Tuesday, February 22, 2005. The Department shall pre-mark its exhibits sequentially with numbers (1,2 . . .), and Rose Acres Trust shall pre-mark its exhibits sequentially with letters (A,B . . .). At the beginning of the hearing, the Administrative Law Judge will entertain any foundational or other legal objections to exhibits.

5. The parties shall also advise each other and the Administrative Law Judge of any other kinds of preliminary issues relating to the hearing at least one week prior to the beginning of the hearing.

Sincerely,
/s/ Bruce H. Johnson

BRUCE H. JOHNSON
Assistant Chief Administrative Law Judge

Telephone: 612/341-7607

BHJ